

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-81061-CIV-CANNON/Reinhart

ARLENE MARIE JOHNSON,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner
of Social Security,

Defendant.

**ORDER ACCEPTING REPORT
AND GRANTING UNOPPOSED MOTION TO REMAND**

THIS CAUSE comes before the Court on Defendant’s Unopposed Motion to Remand (the “Motion”) [ECF No. 23], filed on May 2, 2023. The Acting Commissioner moves the Court to reverse and remand its decision for further administrative proceedings as described below. Plaintiff does not oppose remand. Judge Reinhart issued a Report recommending that the Motion be granted [ECF No. 24]. This Court has the authority to reverse and remand the Commissioner’s decision under 42 U.S.C. § 405(g), which provides that the Court may enter a judgment “reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” 42 U.S.C. § 405(g). Accordingly, the Court hereby


ORDERED AND ADJUDGED as follows:

1. Judge Reinhart’s Report [ECF No. 24] is **ACCEPTED**.
2. The Motion [ECF No. 23] is **GRANTED**.
3. The Commissioner’s decision is **REVERSED**.

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4. This matter is hereby **REMANDED** to the Commissioner. Upon remand, the agency will (1) offer the claimant an opportunity for a hearing; (2) further evaluate whether the severity of Plaintiff's impairments meets or equals a listed impairment at step three of the sequential evaluation process; (3) further evaluate the opinion evidence; (4) if necessary, further evaluate the residual functional capacity; (5) obtain supplemental evidence from a vocational expert; and (6) issue a new decision.
5. In light of this Order, Plaintiff's Motion for Summary Judgment [ECF No. 20] is **DENIED AS MOOT**.
6. Pursuant to Federal Rule of Civil Procedure 58, final judgment will be entered separately.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 17th day of May 2023.


AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record
Magistrate Judge Reinhart